

Remarks

In view of the above amendments and the following remarks, favorable reconsideration of the outstanding office action is respectfully requested.

Claims 24-39 remain in this application. Claims 24, 33, and 39, have been amended. Claim 30 has been canceled.

1. Claim Objections

Applicant thanks the Patent Office for indicating that claims 30-31 and 35 would be allowable, but for that they dependent upon a rejected independent base claim. The Patent Office states that Schena *et al.* and the other references are silent regarding the problems associated with auto-fluorescence of the substrate; problems which the Applicant has recognized and solved.

2. § 112 Rejections

The Examiner rejects claims 33 and 39 under 35 U.S.C. § 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. Applicant has corrected the errors as indicated above.

3. § 102 / § 103 Rejections

The Patent Office rejects claims 24-29, 32-34, 36-39 under 35 U.S.C. § 102(b) as being anticipated by or, in the alternative, under 35 U.S.C. § 103(a) as inherently obvious over the article by M. Schena *et al.*, (Proc. Natl. Acad. Sci. USA, Vol. 93, October 1996, Biochemistry, pp. 10614-10619). The Patent Office alleges that even though the Schena *et al.* do not teach that their substrate had a residual fluorescence or that treating the substrate with a sodium borohydridic solution would reduce the substrate's auto-fluorescence, by treating the printed array slide in a sodium borohydridic solution, the authors inherently reduced auto-fluorescence of the printed slide. The Patent Office asserts that the claiming of a new use, new function, or unknown property, which is inherently present in the prior art does not make the claim patentable.

Applicant has amended claim 24 to incorporate the allowable subject matter of claim 30, thus distinguishing the pending claims from Schena *et al.* Hence, Applicant requests that the Patent Office withdraw this rejection.

4. Conclusion

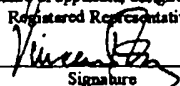
Based upon the above amendments, remarks, and papers of record, Applicant believes the pending claims of the above-captioned application are in allowable form and patentable over the prior art of record. Applicant respectfully requests reconsideration of the pending claims and a prompt Notice of Allowance thereon.

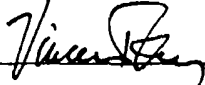
Applicant believes that no extension of time is necessary to make this Response timely. Should Applicant be in error, Applicant respectfully requests that the Office grant such time extension pursuant to 37 C.F.R. § 1.136(a) as necessary to make this Reply timely, and hereby authorizes the Office to charge any necessary fee or surcharge with respect to said time extension to the deposit account of the undersigned firm of attorneys, Deposit Account 03-3325.

Please direct any questions or comments to Vincent T. Kung at 607-974-0608.

Respectfully submitted,
CORNING INCORPORATED

Date: October 16, 2003

CERTIFICATE OF MAILING UNDER 37 C.F.R. § 1.9: I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to Commissioner of Patents, Alexandria, VA 22313-1450 on <u>October 16, 2003</u> Date of Deposit
<u>Vincent T. Kung</u> Name of applicant, assignee, or Registered Representative
<u></u> Signature
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